MONTANA LEGISLATIVE HISTORY

Chapter 63 19 52

Bill H 84 S _____ Original bill & history ___C

H. Committee on Affairs of Cities			S. Committee on City and Town Affairs		
Hearing Date(s)	Jan 28	✓C	Hearing Date(s)	Feb 15	✓C
	Jan 31	✓C			C
	Feb 07	✓C			C
		C			C
Date Out	Feb 07	✓C			

Did this bill originate in an interim committee? ___Yes ___No

Committee _____ Report _____

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AFFAIRS OF CITIES

January 28, 1957

The first meeting of the Committee on Affairs of Cities was called to order by Chairman Clowes at recess on Monday, January 28, 1957, in Room 418. Roll call was taken and a quorum was present.

The following guests were also present:

Roy Burdette, Representative of the State Firemen's Assn.
Mickey Chilton, Representative of the Municipal League
Keith Anderson of the Montana Taxpayer's Assn.

Under consideration were bills nos. 84, 101, 118 and 133.

Mr. Burdette spoke in behalf of Bill No. 101 which would increase firemen's disability and pension funds. He was then dismissed and members of the committee discussed the bill further.

Rep. Anderson, Cascade, made a motion that House Bill No. 101 do not pass.

Rep. Howard seconded the motion, and motion carried unanimously.

House Bill No. 84 was then discussed by the committee. This bill would furnish water outside corporate city limits.

Motion was made by Rep. Norby that bill do not pass.

Rep. Anderson of Cascade seconded the motion. Motion carried.

House Bill No. 117 was to have been considered next, but Rep. Howard said there would be a substitute bill on this. Therefore, Rep. Howard made the motion that HB No. 117 be passed for the day.

Motion was seconded by Rep. Norby, and carried unanimously.

Next bill for consideration was HB No. 118, which was then discussed by the members of the committee.

Motion was made by Rep. Nelstead that HB No. 118 do pass.

Rep. Norby seconded the motion; and motion carried unanimously.

House Bill No. 133 which would effect City Managers was then put before the committee. Mr. Chilton was invited in and spoke a few words in behalf of this bill. He was then dismissed and the committee members discussed the bill. Mr. Keith Anderson presented figures which were not accepted as Rep. Norby had previously obtained them. Then Rep. Loughran made a motion that HB No. 133 do not pass. Motion was seconded by Rep. Cunningham. Motion carried.

There being no further business, Rep. McAndrews moved that the committee adjourn. Rep. Howard seconded the motion. Motion carried.

Homer J. Clowes

CLOWES, Chairman

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COMMITTEE ON AFFAIRS OF CITIES

January 31, 1957

The meeting was called to order by Chairman Clowes upon recess on January 30, 1957, in Room 418. Roll call was taken and a quorum was present.

The following bills were acted upon: HB 84, 117, 151, 152, 156, 220, 229 and 230.

The following guests appeared:

Mr. Alfred Klinger, Director of the Montana Municipal League, who spoke on HB 84, and in support of HB 156.

Mr. John Willard of the Montana Railroad Assn. spoke in opposition to HB 156.

Mr. Keith Anderson of the Montana Taxpayers' Assn. also spoke in opposition to HB 156.

Mr. Walter J. Derzay, Rep. of the Montana Police Protective Assn. appeared and requested postponement of action on HB 220 until next week.

After guests were dismissed on each bill, the committee discussed them.

Rep. Norby moved that HB 84 be put in a sub-committee of 3 for study. Motion seconded by Howard and carried unanimously. Chairman Clowes appointed the following to this committee: McKenna, Berg and Nelstead.

HB 117 was then taken up and a substitute HB 117 given to committee by Rep. Howard.

Rep. McAndrews moved that HB 117 DO NOT PASS and that this committee introduce Substitute HB 117 with the recommendation that it DO PASS. Rep. Norby seconded the motion, and motion carried.

HB 151 and 152 were then considered.

Rep. Norby moved that HB 151 be passed for the day until Rep. Felt could be present to discuss and explain it. Motion seconded and carried.

HB 152 was put with HB 151 by Chairman Clowes for explanation.

The committee then considered HB 156.

Rep. Berg moved that HB 156 DO NOT PASS. Seconded by Cunningham, and carried with one dissenting vote.

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COMMITTEE ON AFFAIRS OF CITIES

February 7, 1957

Meeting called to order by Chairman Clowes on recess, February 6, 1957, in Room 418. Roll call was taken and a quorum was present.

Subcommittee on HB 84 reported, recommending it do pass.

McKenna moved that HB 84 do pass. Norby seconded the motion. Motion carried.

The next bill placed before the committee was HB 220. The following guests appeared on this bill:

PROPONENTS

Walter J. Derzay, Montana Police Protective Assn.
Albert Rude, Legislative Rep. AFL-CIO, appearing also for Railroad Brotherhoods.
Lawrence Mower, State Committee of Mine, Mill & Smelter Workers.
W. Delger, Carpenters' Union of Great Falls
John Gardiner, Sgt. of Police, Butte

OPPONENT

Michael Chilton, Montana Municipal League

McAndrews moved that HB 220 do pass. Seconded by Anderson (Cascade). Motion carried.

HB 242 was then placed before the consideration. Rep. Berg explained and spoke in behalf of this bill.

Walter J. Derzay spoke in opposition to HB 242.

Berg moved that HB 242 do pass. Seconded by Langston.

Loughran made the substitute motion that HB 242 do not pass. Motion seconded by Karlberg. Motion carried.

HB 257 was next placed before the committee for consideration. The following guests appeared on this bill:

PROPONENTS

Alfred Klinger, Rep. Montana Municipal League
Mayor Earl Knight, Billings
Bill Renouard, City Council Member, Butte
John Lindquist, Alderman, Butte
Bill Johnson, Dir. of Finance, Great Falls
Fred Hill, City Clerk, Great Falls
Michael Chilton, City Attorney, Helena.

Norby moved that HB 257 be put in a subcommittee. Chairman Clowes named: G. Anderson, Berg, Norby and Lanston (Subcomm.)

There being no further business, meeting adjourned.

Clowes Chairman
CLOWES

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February 19, 1957

A meeting of the committee on City and Town Affairs was called to order by the Chairman, Senator Grant in room 407 of the Capitol Building at 1:10 P.M. on February 19, 1957 with the following members present:

Senators, Grant, Bovey, Ruane, Durkee, LaCombe, Smith, Moritz

The Committee had for their consideration House Bill #84 relating to the furnishing of water outside corporate city limits. Following an explanation of the Bill by Senator Moritz, Senator Smith moved that House Bill #84 be concurred in. Seconded by Senator Moritz, carried by unanimous vote.

House Bill #93 relating to insurance plans for city, county, and town employees was also before the Committee for their consideration. Following a discussion, Senator Smith moved to pass consideration for the day. Seconded by Senator Moritz. Carried unanimously.

House Bill #230 relating to the appropriation of municipal funds, was before the Committee. After a discussion, Senator Smith moved to pass consideration on the Bill until such time as Representative Conklin could come and explain the Bill. Seconded by Senator Ruane, carried by unanimous vote.

House Bill #414 relating to the annexation of land by municipalities was also before the Committee. After a discussion it was moved by Senator LaCombe to pass consideration until such time as Representatives Howard or Haines could explain the Bill to the Committee. Seconded by Senator Ruane. Carried unanimously.

Senator Smith moved the meeting adjourn. Seconded by Senator Moritz. Carried unanimously.

Grant

Chairman

been preferred, asking the removal of the warden, notice of the time and place of hearing of said charges shall be served upon him at least five (5) days prior to the day set for the hearing; provided, however, that when such charges have been preferred, the state board of prison commissioners shall have the power and authority to suspend the warden until after the determination of the charges preferred against him."

Repealing clause.

Section 2. That all acts and parts of acts in conflict herewith are hereby repealed.

Effective immediately.

Section 3. This act shall be in full force and effect from and after its passage and approval.

Approved March 1, 1957.

CHAPTER 62

An Act to Amend Section 11-1932 of the Revised Codes of Montana, 1947, as Amended by Chapter 51 of the Session Laws of the State of Montana, 1951, Providing for Minimum Compensation for Duly Appointed and Confirmed Members of Paid Fire Departments of Cities and Towns of the First or Second Class, and Providing for the Repeal of Acts Insofar as They are in Conflict Herewith.

Be it enacted by the Legislative Assembly of the State of Montana:

Amending clause.

Section 1. That Section 11-1932 of the Revised Codes of Montana, 1947, as amended by Chapter 51 of the Session Laws of the State of Montana, 1951, be, and the same is hereby amended to read as follows:

Minimum wages of members of fire department of cities of first or second class.

"Section 11-1932. **Minimum Wages of Firemen in Cities of First and Second Class.** From and after July 1, *1957*, there shall be paid to each duly appointed and confirmed member of the fire department of cities or towns of the first or second class of the State of Montana, a minimum wage for a daily service of eight (8) consecutive hours of work of at least *three hundred fifty dollars ($350.00)* per month *for the first year of service; and thereafter of at least three hundred fifty dollars ($350.00) minimum per month plus one per cent (1%) of said minimum base monthly salary three hundred*

Additional 1%.

fifty dollars ($350.00) for each additional year of service up to and including the twentieth year of such additional service."

Repealing clause.

Section 2. All acts and parts of acts in conflict herewith are hereby repealed.

Approved March 1, 1957.

CHAPTER 63

An Act to Amend Section 11-1001 of the Revised Codes of Montana, 1947, as Amended by Section 1 of Chapter 6 of the Laws of 1955, Relating to the Authorization of Cities and Towns to Furnish Water to Inhabitants of Such Cities or Towns and to Any Factory or Other Industry Located Outside the Corporate Limits of Such Cities or Towns; Providing for Such Cities or Towns Furnishing Water to Any Person Located Outside the Corporate Limits of Cities or Towns; Deleting Minimum Population for Cities Owning a Municipal Water System to Furnish Water Outside of the Corporate City Limits and Containing a Repealing Clause.

Be it enacted by the Legislative Assembly of the State of Montana:

Amending clause.

Section 1. That Section 11-1001 of the Revised Codes of Montana, 1947, as amended by Section 1 of Chapter 6 of the Laws of 1955, be, and the same is hereby amended to read as follows:

Authorization to furnish water within and outside corporate limits at rates established inside said limits.

"11-1001. (5040.1) **Authorization of Cities and Towns to Furnish Water to Industries and to Persons Without City Limits — Rates — Penalty for Violations.** (1) The city or town council of any city or town within the State of Montana, that owns and operates a municipal water system, to furnish to the inhabitants of such city or town, as a public utility, shall, in addition to all other powers, have power to furnish water from such water system, to any *person*, factory, or other industry, located within the corporate limits of such city or town, or to any *person*, factory or other industry located outside the corporate limits of such city or town, at rates established for like use or service to the inhabitants or industries located inside the corporate limits of such city or town, provided that delivery of water by any such

Delivery to be made within or at boundary of corporate limits.

city or town to or for the use of any *person,* factory or other industry located outside the corporate limits of such city or town shall be made within, or at the boundary line of the corporate limits of such city or town except as hereinafter provided.

Authorization to furnish water outside corporate limits at just and equitable rates.

"(2) The city council of any city within the State of Montana that owns and operates a municipal water system to furnish water to the inhabitants of such city, as a public utility, shall, in addition to all other powers, have power to furnish water from such water system to the inhabitants or to any *person,* factory, industry or producer of farm or other products located outside of the corporate limits of such city, at such rates as to the said city council may seem just and equitable, and such city council is further empowered to make collections for furnishing water in the same manner as collections are made within the corporate limits.

Collection for furnishing water.

Penalty for wilfully turning on water after shut off for non-payment.

"(3) Any person, firm or corporation residing either inside or outside of the corporate limits of a city owning a municipal water system which furnishes water as a public utility, who shall wilfully turn on the water after the same shall have been shut off by or under the direction of the said city for nonpayment of water charges, or who shall unlawfully take water from such water system shall be guilty of a misdemeanor."

Repealing clause.

Section 2. All acts and parts of acts in conflict herewith are hereby repealed.

Approved March 1, 1957.

CHAPTER 64

An Act to Amend Section 59-704 of the Revised Codes of Montana, 1947, Relating to Distribution of Public Reports and Providing for Manner of Distribution of Public Reports.

Be it enacted by the Legislative Assembly of the State of Montana:

Amending clause.

Section 1. That Section 59-704 of the Revised Codes of Montana, 1947, be, and the same is hereby amended to read as follows:

Distribution of public reports.

"59-704. (521) **Distribution of Public Reports.** The reports *shall be distributed by the department responsible for making the report. Such distribution shall be within the discretion of the head of the department making the report, but the following distribution shall be mandatory:*

To governor.

"To the governor — *as many as he desires, but not less than* twenty-five copies of each report.

To secretary of state.

"To the secretary of the state — twenty-five copies of each report.

To state historical library.

"To the librarian of the *state* historical library — *four (4) copies.*

To library of congress.

"To the library of Congress — *four (4)* copies of each report."

To the legislative assembly.

To the legislative assembly of the State of Montana — one (1) copy for each member.

Approved March 1, 1957.

CHAPTER 65

An Act to Amend Section 11-1831 of the Revised Codes of Montana, 1947, Relating to the Days of Employment of Policemen in Cities of the First and Second Class; Providing the Number of Days Off in a Work Week; and Repealing All Acts and Parts of Acts in Conflict Herewith.

Be it enacted by the Legislative Assembly of the State of Montana:

Amending clause.

Section 1. That Section 11-1831 of the Revised Codes of Montana, 1947, be, and the same is hereby amended to read as follows:

Days off duty without loss of compensation.

"11-1831. **Days Off Duty Without Loss of Compensation.** That each member of the police force in every city of the first and second class shall be given *two (2)* days off duty in each *seven (7)* day period without loss of compensation."

Repealing clause.

Section 2. All acts and parts of acts in conflict herewith are hereby repealed.

Approved March 1, 1957.